

(9) Former President Donald J. Trump's 2018 Nuclear Posture Review called for the development of two new nuclear weapons capabilities, which have the effect of lowering the threshold for nuclear weapons use:

(A) A low-yield warhead on a submarine-launched ballistic missile, which was deployed before the date of the enactment of this Act.

(B) A sea-launched cruise missile, still under development on the date of the enactment of this Act.

(10) On February 3, 2021, President Joseph R. Biden preserved binding and verifiable limits on the deployed and non-deployed strategic forces of the largest two nuclear weapons powers through the five-year extension of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed April 8, 2010, and entered into force February 5, 2011 (commonly referred to as the "New START Treaty").

(11) In 2013, the report on a nuclear weapons employment strategy of the United States submitted under section 492 of title 10, United States Code, determined that it is possible to ensure the security of the United States and allies and partners of the United States and maintain a strong and credible strategic deterrent while safely pursuing up to a 1/3 reduction in deployed nuclear weapons from the level established in the New START Treaty.

(12) On January 12, 2017, then-Vice President Biden stated, "[G]iven our non-nuclear capabilities and the nature of today's threats—it's hard to envision a plausible scenario in which the first use of nuclear weapons by the United States would be necessary. Or make sense."

(13) In light of moves by the United States and other countries to increase their reliance on nuclear weapons, a global nuclear freeze would seek to halt the new nuclear arms race by seeking conclusion of a comprehensive and verifiable freeze on the testing, deployment, and production of nuclear weapons and delivery vehicles for such weapons.

(b) **STATEMENT OF POLICY.**—The following is the policy of the United States:

(1) The United States should build upon its decades long, bipartisan efforts to reduce the number and salience of nuclear weapons by leading international negotiations on specific arms-reduction measures as part of a 21st century global nuclear freeze movement.

(2) Building on the successful extension of the New START Treaty, the United States should engage with all other countries that possess nuclear weapons to seek to negotiate and conclude future multilateral arms control, disarmament, and risk reduction agreements, which should contain some or all of the following provisions:

(A) An agreement by the United States and the Russian Federation on a follow-on treaty or agreement to the New START Treaty that may lower the central limits of the Treaty and cover new kinds of strategic delivery vehicles or non-strategic nuclear weapons.

(B) An agreement on a verifiable freeze on the testing, production, and further deployment of all nuclear weapons and delivery vehicles for such weapons.

(C) An agreement that establishes a verifiable numerical ceiling on the deployed shorter-range and intermediate-range and strategic delivery systems (as defined by the INF Treaty and the New START Treaty, respectively) and the nuclear warheads associated with such systems belonging to the P5, and to the extent possible, all countries that possess nuclear weapons, at August 2, 2019, levels.

(D) An agreement by each country to adopt a policy of no first use of nuclear weapons or provide transparency into its nuclear declaratory policy.

(E) An agreement on a proactive United Nations Security Council resolution that expands access by the International Atomic Energy Agency to any country found by the Board of Governors of that Agency to be non-compliant with its obligations under the NPT.

(F) An agreement to refrain from configuring nuclear forces in a "launch on warning" or "launch under warning" nuclear posture, which may prompt a nuclear armed country to launch a ballistic missile attack in response to detection by an early-warning satellite or sensor of a suspected incoming ballistic missile.

(G) An agreement not to target or interfere in the nuclear command, control, and communications (commonly referred to as "NC3") infrastructure of another country through a kinetic attack or a cyberattack.

(H) An agreement on transparency measures or verifiable limits, or both, on hypersonic cruise missiles and glide vehicles that are fired from sea-based, ground, and air platforms.

(I) An agreement to provide a baseline and continuous exchanges detailing the aggregate number of active nuclear weapons and associated systems possessed by each country.

(3) The United States should rejuvenate efforts in the United Nations Conference on Disarmament toward the negotiation of a verifiable Fissile Material Treaty or Fissile Material Cutoff Treaty, or move negotiations to another international body or fora, such as a meeting of the P5. Successful conclusion of such a treaty would verifiably prevent any country's production of highly enriched uranium and plutonium for use in nuclear weapons.

(4) The United States should convene a series of head-of-state level summits on nuclear disarmament modeled on the Nuclear Security Summits process, which saw the elimination of the equivalent of 3,000 nuclear weapons.

(5) The President should seek ratification by the Senate of the CTBT and mobilize all countries covered by Annex 2 of the CTBT to pursue similar action to hasten entry into force of the CTBT. The entry into force of the CTBT, for which ratification by the United States will provide critical momentum, will activate the CTBT's onsite inspection provision to investigate allegations that any country that is a party to the CTBT has conducted a nuclear test of any yield.

(6) The President should make the accession of North Korea to the CTBT a component of any final agreement in fulfilling the pledges the Government of North Korea made in Singapore, as North Korea is reportedly the only country to have conducted a nuclear explosive test since 1998.

(7) The United States should—

(A) refrain from developing any new designs for nuclear warheads or bombs, but especially designs that could add a level of technical uncertainty into the United States stockpile and thus renew calls to resume nuclear explosive testing in order to test that new design; and

(B) seek reciprocal commitments from other countries that possess nuclear weapons.

(c) **PROHIBITION ON USE OF FUNDS FOR NUCLEAR TEST EXPLOSIONS.**—

(1) **IN GENERAL.**—None of the funds authorized to be appropriated or otherwise made available for fiscal year 2022 or any fiscal year thereafter, or authorized to be appropriated or otherwise made available for any fiscal year before fiscal year 2022 and avail-

able for obligation as of the date of the enactment of this Act, may be obligated or expended to conduct or make preparations for any explosive nuclear weapons test that produces any yield until such time as—

(A) the President submits to Congress an addendum to the report required by section 4205 of the Atomic Energy Defense Act (50 U.S.C. 2525) that details any change to the condition of the United States nuclear weapons stockpile from the report submitted under that section in the preceding year; and

(B) there is enacted into law a joint resolution of Congress that approves the test.

(2) **RULE OF CONSTRUCTION.**—Paragraph (1) does not limit nuclear stockpile stewardship activities that are consistent with the zero-yield standard and other requirements under law.

SA 4177. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1237. REPEAL OF WAIVER AUTHORITY FOR PROVISION OF ASSISTANCE TO THE GOVERNMENT OF AZERBAIJAN.

Title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107-115; 22 U.S.C. 5812 note) is amended, in subsection (g) of the matter under the heading "ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION" under the heading "OTHER BILATERAL ECONOMIC ASSISTANCE"—

(1) by striking paragraphs (2) through (6); and

(2) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking "(1) Section" and inserting "Section"; and

(B) by redesignating subparagraphs (A) through (F) as paragraphs (1) through (6), respectively.

SA 4178. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. PLAN FOR ENHANCING INSTITUTIONAL CAPACITY BUILDING ACTIVITIES IN NIGERIA.

(a) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall develop a plan for enhancing institutional capacity building activities in the Federal Republic of Nigeria.

(b) **ELEMENTS.**—The plan required by subsection (a) shall include the following:

(1) An assessment of the major areas of weakness in civilian oversight of—